

From: [Adam Greenfield](#)
To: [Bobby Pryor](#)
Cc: [Matthew B. Gilliam](#); [McKeeby, Paulo B.](#); [Matt Hill](#); [Morris, Brian K.](#); [Ed Cloutman](#)
Subject: Re: Witness Dates
Date: Friday, June 17, 2022 2:20:53 PM

Bobby.

This may be semantics, but we did not represent to you or the Court that we would produce either of those witnesses, as they are not within our control. We did represent that those witnesses had expressed willingness to testify and would work with us on scheduling.

With that said, I anticipate that those dates will work for both witnesses.

Sincerely, Adam

On Fri, Jun 17, 2022 at 2:00 PM Bobby Pryor <bpryor@pryorandbruce.com> wrote:

Adam.

Local 556 already agreed to produce Stone and Parrot for trial and we expect that agreement to be followed. We just spoke and I advised that Stone will be called July 6 and Parrott July 7.

Thanks.

Bobby G. Pryor

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EXHIBIT 3

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From: Adam Greenfield <agreenfield@candglegal.com>
Sent: Friday, June 17, 2022 1:57 PM
To: Matthew B. Gilliam <mbg@nrtw.org>
Cc: McKeeby, Paulo B. <PMcKeeby@reedsmith.com>; Bobby Pryor <bpryor@pryorandbruce.com>; Matt Hill <mhill@pryorandbruce.com>; Morris, Brian K. <BMorris@reedsmith.com>; Ed Cloutman <ecloutman@lawoffices.email>
Subject: Re: Witness Dates

Too all--

After reviewing the witness addresses, I am personally aware that Mr. John Parrot is no longer living in Dallas. This should not be an issue as he has agreed to appear. I have spoken with my representative at the Union and am anticipating his ability to confirm addresses for the following, though we believe them to be accurate: Parker, Navarez, and Talburt. To be clear, we have not agreed to produce any flight attendant witnesses as none are within our control and are outside of subpoena range, namely witnesses Parker, Navarez, and Talburt.

As mentioned above, Mr. Parrot and Ms. Stone have agreed to be in attendance, but my understanding is that we would work on some specific dates for their attendance. Please confirm Ms. Stone as we disagree on where she falls into the above categories, as we do not have control over her as she is no longer a member of the Executive Board.

I am free until 4pm this afternoon. Please call on my cell if you would like to discuss further.

Sincerely, Adam

On Fri, Jun 17, 2022 at 1:30 PM Matthew B. Gilliam <mbg@nrtw.org> wrote:

Hi Paulo,

We cannot predict the timing of events at trial with much more precision than the narrow 2 day estimate we provided, especially given the unpredictability of trial, and we didn't understand the Judge to be asking us to commit to the exact day. If you want, we can contact the Court for clarification. I will be flying this afternoon, so contact Bobby if we need to reach out to the Court.

We'll also be in touch regarding coordinating service of subpoenas. We anticipate calling Sims on July 6. Also, the July 9 date should be July 11.

Thanks,

Matt

Sent from my iPhone

On Jun 17, 2022, at 11:07 AM, McKeeby, Paulo B.
<PMcKeeby@reedsmith.com> wrote:

Matt: I also want to address a few points below to ensure we are on the same page and assess if we need to try to get back in front of the judge to confirm the Court's expectations as to trial attendance of witnesses.

1. First, I think the Judge's expectations were that you provide a more narrow estimate of when you expect to call witnesses. The two day date range you provide below is not particularly helpful, especially for witnesses who are traveling from other states and have to make travel arrangements.
2. With respect to former Southwest employees, plaintiff is to serve valid Rule 45 trial subpoenas in order to compel their attendance at trial. When and if that is done, and assuming the witnesses do not obtain separate counsel, we will work with the witnesses to ensure their attendance at the requested times. This would apply to Hudson, Burdine, Barnett, and Shaffer.
3. With respect to the flight attendant witnesses---Parker, Parrott, Naverez and Talburt---plaintiff will also serve those witnesses with valid Rule 45

subpoenas. When that is done, Southwest and/or the Union, again assuming the witnesses do not secure other legal representation, will cooperate and coordinate with the witnesses regarding trial attendance.

4. Ms. Rutherford, Ms. Lacore, Ms. Cleburne and Mr. Conlon are out the state and/or country during the times referenced in your email so are not able to appear on the dates requested below. Moreover, the Court's order issued yesterday (Doc. 268) states that plaintiff may choose to take their depositions for the purpose of using that testimony at trial. The order does not state that these witnesses are subject to being called at trial. Finally, July 9th is a Saturday.

5. As for Mr. Sims, while we have agreed to produce him during plaintiff's case in chief, we do expect you to tell us a specific day when you request that he be at the courthouse.

6. We did not discuss Jeanna Jackson and my understanding is that you are securing her attendance at trial. I think you mean Meggan Jones, not Ms. Jackson, in the second to last sentence below. You do not need to provide a date for Ms. Jones.

I am in the office if you would like to discuss.

Paulo B. McKeeby

Partner

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From: Matthew B. Gilliam <mbg@nrtw.org>

Sent: Thursday, June 16, 2022 4:11 PM

To: McKeeby, Paulo B. <PMcKeeby@reedsmith.com>; Morris, Brian K. <BMorris@reedsmith.com>; Ed Cloutman <ecloutman@lawoffices.email>; Adam Greenfield <agreenfield@candglegal.com>

Cc: Bobby Pryor <bpryor@pryorandbruce.com>; Matt Hill <mhill@pryorandbruce.com>

Subject: Witness Dates

EXTERNAL E-MAIL - From mbg@nrtw.org

Paulo, Brian, Ed, and Adam,

As we understand the court's direction, we are to provide you with anticipated dates of testimony for three categories of witnesses by this evening: 1) those who are under Southwest's control but who are out of town, 2) those who are not under Southwest's control but who have indicated a willingness to testify, and 3) former Southwest employees from whom Carter will seek testimony. We also understand that those witnesses who Southwest or Local 556 has listed and who are local will be made available from the start of trial.

Accordingly, Carter informs defendants that it anticipates the following dates for such witnesses:

July 6 or 7: Ed Schneider, Maureen Emlet, Linda Rutherford, Edie Barnett, Tammy Shaffer

July 7 or 8: Meggan Jones, Denise Gutierrez

Jessica Parker, John Parrott.

July 8 or 9: Brett Nevarez, Brian Talburt, Melissa Burdine, Brendon Conlon, Sonya Lacore, Naomi Hudson, Nancy Kleburn

The witnesses for which we understand we need not provide dates are Ms. Carter, Jeanna Jackson, Mike Sims, and Audrey Stone.

We also understand that, per the Judge's request, Southwest and Local 556 will provide locations where witnesses can be subpoenaed by the end of the day today, and addresses for witnesses who no longer work at Southwest.

Thanks,

Matt

Sent from my iPhone

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Thanks, Adam Greenfield

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Texas Board of Legal Specialization

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Thanks, Adam Greenfield

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